GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The Andhra Pradesh Goods and Service Tax Act, 2017 –Amendments to the Andhra Pradesh Goods and Services Tax Rules, 2017- Orders – Issued.

REVENUE (COMMERCIAL TAXES –II) DEPARTMENT

G.O.MS.No. 08 Dated: 11/01/2022
Read the following

1. The Andhra Pradesh Goods and Services Tax Act, 2017(Act No.16 of 2017) published in Extra-ordinary issue of Andhra Pradesh Gazette No.16, Part. IV. B, Dt: 07-06-2017.
2. G.O.Ms.No.227, Revenue (CT-II) Department, dated 22.06.2017
3. From the Government of India, Ministry of Finance, Department of Revenue, Central Board of Indirect Tax Customs, Notification No.35/2021-Central Tax, dated 24-09-2021.
4. From the CCST File No.REV03-12039/165/2021-GST, dated: 10-01-2022.

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ORDER:

The following notification will be published in an Extra-Ordinary issue of the Andhra Pradesh Gazette, Dated: 12-01-2022.

NOTIFICATION

In exercise of the powers conferred by section 164 of the Andhra Pradesh Goods and ServicesTax Act, 2017 (16 of 2017), the Government of Andhra Pradesh, on the recommendations of the Goods and Services Tax Council, hereby makes the following rules further to amend the Andhra Pradesh Goods and Services Tax Rules, 2017, namely :—

AMENDMENT

1. **Short title and commencement**.-(1) These rules may be called the Andhra Pradesh Goods and Services Tax (Eighth Amendment) Rules, 2021.

(2)Save as otherwise provided in these rules, they shall be deemed to have come into force with effect from 24.09.2021.

2. In the Andhra Pradesh Goods and Services Tax Rules, 2017 (here in after referred to as the said rules),—

(1) In rule10A of the said rules, with effect from the date as may be notified,-

(a) after the words "details of bank account", the words "which is in name of the registered person and obtained on Permanent Account Number of the registered person" shall be inserted;

(b) the following proviso shall be inserted, namely:-

"Provided that in case of a proprietorship concern, the Permanent Account Number of the proprietor shall also be linked with the Aadhaar number of the proprietor.";

(2) After rule 10A of the said rules, with effect from the date as may be notified, the following rule shallbeinserted,namely:-

(3) **"10B. Aadhaar authentication for registered person .—** The registered person, other than a personnotified under sub-section (6D) of section 25, who has been issued a certificate of registration under

rule 10 shall, undergo authentication of the Aadhaar number of the proprietor, in the case of proprietorship firm, or of any partner, in the case of a partnership firm, or of the karta, in the case of a Hindu undivided family, or of the Managing Director or any whole time Director, in the case of a company, or of any of the Members of the Managing Committee of an Association of persons or body of individuals or a Society, or of the Trustee in the Board of Trustees, in the case of a Trust and of the authorized signatory, in order to be eligible for the purposes as specified in column (2) of the Tablebelow:

Table

S.No.	**Purpose**
(1)	(2)
1.	For filing of application for revocation of cancellation of registration in **FORM GSTREG-21** under Rule 23
2.	For filing of refund application in **FORM RFD-01**under rule 89
3.	For refund under rule 96 of the integrated tax paid on goods exported out of India

Provided that if Aadhaar number has not been assigned to the person required to undergo authentication of the Aadhaar number, such person shall furnish the following identification documents, namely: –

(a) her/his Aadhaar Enrolment ID slip; and

(b) (i)Bank passbook with photograph; or

(ii) Voter identity card issued by the Election Commission of India;or

(iii) Passport;or

(iv) Driving license issued by the Licensing Authority under the Motor Vehicles Act, 1988 (59of1988):

Provided further that such person shall undergo the authentication of Aadhaar number with in a period of thirty days of the allotment of the Aadhaar number.";

(4) In rule 23 of the said rules, in sub-rule (1), with effect from the date as may be notified, after thewords "on his own motion, may", the words, figures and letter ", subject to the provisions of rule 10B,"shallbe inserted;

(5) In rule 45 of the said rules, in sub-rule(3), with effect from the1st day of October, 2021,-

(i) For the words "during a quarter", the words "during a specified period" shall be substituted;

(ii) For the words "the said quarter", the words "the said period" shall be substituted;

(iii) After the proviso, the following explanation shall be inserted, namely:-

"Explanation. –For the purposes of this sub-rule, the expression "specified period "shall mean.-

(a) the period of six consecutive months commencing on the 1st day of April and the 1st day of October in respect of a principal

whose aggregate turnover during the immediately preceding financial year exceeds five crore rupees; and

(b) a financial year in any other case.";

(6) In rule 59 of the said rules, in sub-rule(6), with effect from the1st day of January, 2022,-

(i) in clause (a), for the words "for preceding two months", the words "for the precedingmonth"shall be substituted;

(ii) clause (c) shall be omitted;

(7) In rule 89 of the said rules,-

(i) In sub-rule(1), with effect from the date as may be notified, after the words "may file", the words", subject to the provisions of rule 10B,"shallbeinserted;

(ii) After sub-rule(1),the following sub-rule shall be inserted, namely:-

"(1A) Any person, claiming refund under section 77 of the Act of any tax paid by him, inspect of a transaction considered by him to be an intra-State supply, which is subsequently held to be an inter-State supply, may, before the expiry of a period of

two years from the date of payment of the tax on the inter-State supply, file an application electronically in **FORM GST RFD-01** through the common portal, either directly or through a Facilitation Centre notified by the Commissioner:

Provided that the said application may, as regard to any payment of tax on inter-State supply before coming into force of this sub-rule, be filed before the expiry of a period of two years from the date on which this sub-rule comes into force.";

(8) In rule 96 of the said rules, in sub-rule(1), after clause(b), with effect from the date as may be notified, the following clause shall be inserted, namely:-

"(c) the applicant has undergone Aadhaar authentication in the manner provided in rule10B ;";

(9) After rule 96 B of the said rules, with effect from the date as may be notified, the following rule shall be inserted, namely:-

"**96C. Bank Account for credit of refund**.- For the purposes of sub-rule (3) of rule 91, sub-rule (4) ofrule 92 and rule 94, "bank account" shall mean such bank account of the applicant which is in the name of applicant and obtained on his Permanent Account Number:

Provided that in case of a proprietorship concern, the Permanent Account Number of the proprietor shall also be linked with the Aadhaar number of the proprietor.";

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUKESH KUMAR MEENA
SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery and Stores Purchase (Publication Wing), A.P., Vijayawada ... for publication of the Notification (he is requested to supply 20 copies of the notification to this Department and 200 copies to the Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada)

The Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada.

Copy to:

The Director General, General Administrative (Vigilance & Enforcement) Department, 2nd floor, Pundit Nehru Bus Station Complex, Vijayawada.

The P.S to Special Chief Secretary to Chief Minister.

The P.S to the Hon'ble Deputy Chief Minister (Commercial Taxes & Excise).

The P.s to the Spl.C.S (CT, Excise &Regn., & Stamps). The Law (H) Department

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER